THE

DEED

OF

SETTLEMENT

OF THE

SOCIETY

FOR

ANNUITIES ENCREASING TO THE SURVIVORS.

Together with the

DECLARATION OF TRUST

To be entered into by the TRUSTEES for the ſame.

LONDON.

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THE PREFACE.

THE DESIGN now offered to the public aims at the eſtabliſhment of a SOCIETY FOR ANNUITIES ENCREASING TO THE SURVIVORS.

THE intended SOCIETY is to be divided into ſix CLASSES, according to the ages of the perſons on whoſe lives the ſubſcription is made

The firſt Claſs	will conſiſt of Subſcribers on lives between	the ages of	1 and 10
The 2d - - -		the ages of	10 and 20
The 3d - - -		the ages of	20 and 30
The 4th - - -		the ages of	30 and 40
The 5th - - -		the ages of	40 and 50
The 6th - - -		the age of	50 and the extremity of life.

And as the number of ſubſcriptions originally allotted to the ſeveral Claſſes of the Society hath been found by experience inadequate to the multitude of applications daily made to the Propoſer, theſe Claſſes have ſince upon good conſideration been ſubdivided into Centuries for the accommodation of every perſon willing to become an adventurer in an undertaking ſo apparently beneficial.

The CONDITIONS of Subſcription are,

I. THAT EVERY Subſcriber ſubſcribe the ſum of £100 towards raiſing the Capital Stock of the intended Society.

II. THAT THE SAID CAPITAL STOCK, ſo raiſed, be placed out in the Public Funds, in the names of a certain number of Truſtees; and that the ſaid Truſt be conſtantly kept up.

III. THAT THE HALF-YEARLY Dividends ariſing from TEN THOUSAND POUNDS part of the ſaid Capital Stock, be conſtantly paid to the Survivors of every Century of the reſpective CLASSES, their executors, or aſſigns, as the ſame ſhall become due, ſhare and ſhare alike.

IV.

IV. A PERSON may ſubſcribe upon his own life or upon the life of another; but no perſon ſhall have liberty of ſubſcribing for more than Two Shares upon one life.

V. THAT EVERY Subſcriber in caſe of the death of the perſon on whoſe life the ſubſcription is made, or the executors or aſſigns of any Subſcriber, in caſe of the death of the Subſcriber himſelf ſubſcribing upon his own life, be entitled to the Half-years Dividend which ſhall accrue next after ſuch death.

VI. THAT EVERY Subſcriber depoſit £10 on each ſhare ſubſcribed for in the hands of Sir GEORGE AMYAND, STAPLES and Co. Bankers in *London*.

VII. AND AS SOON as any CLASS is filled up, due notice ſhall be given to the Subſcribers for the payment of the remainder of their ſubſcription.

VIII. THAT WHEN the number of Subſcribers in any Century of any Claſs of the Society is reduced to five, the ſum of TEN THOUSAND POUNDS part of the Capital Stock of the Society be divided amongſt thoſe five in equal proportion. So that beſides the great increaſe of intereſt which the ſurviving Subſcribers will be intitled to, the laſt five Survivors of every Century will become alſo intitled to upwards of £10,000 Capital Stock for themſelves.

Till the Society is eſtabliſhed and a proper Office fixed upon, application may be made at the *Carolina Coffee-houſe* in *Birchin-lane*, to Mr. *Syprut*, who attends there daily between the hours of Eleven in the forenoon and Two in the afternoon. And it is requeſted that all letters relative to this buſineſs may be directed to him.

THE

THE DEED of SETTLEMENT OF THE SOCIETY.

TO all persons to whom these presents shall come, greeting.

KNOW ye that We, whose names and seals are hereunto subscribed and affixed, being desirous of forming and establishing a Society for payment of annuities encreasing to the survivors as the common lot of nature shall diminish the number of the Associators, have consented, promised, agreed, undertaken, and covenanted, and do hereby consent, promise, agree, undertake, and covenant, every of us for ourselves respectively, to and with all and every other of us, to become Members of, and to enter and erect ourselves into a Society by the name of **The Society for Annuities encreasing to the Survivors**, upon such terms and conditions, and

Establishment of the Society.

and with and under ſuch laws, rules, and regulations, as ſhall be hereafter in theſe preſents expreſſed and declared.

Covenant of the members to conform to the articles herein contained.

And for the better forming, fixing, and eſtabliſhing our ſaid Society, and governing and regulating the ſame, and the proceedings thereof; and the more effectually to make proviſion for producing and ſecuring to every of us the beneficial ends and purpoſes thereby intended; We the ſaid Subſcribers to theſe preſents and Members of the ſaid Society do by theſe preſents conſent and ſeverally covenant, promiſe, agree, and undertake, every of us for ourſelves reſpectively, to and with all and every other of us, to obſerve, perform, and abide by, conform to, fulfil, and keep, all and ſingular the articles, clauſes, proviſoes, conditions, regulations and agreements herein after mentioned and contained (that is to ſay)

The Society to conſiſt of Subſcribers,

That the ſaid Society ſhall conſiſt of ſuch and ſo many Subſcribers as according to the terms, rules, and regulations, herein after mentioned, ſhall enter into the ſame.

on their own lives, or the lives of others.

That every perſon deſirous of entering into the ſaid Society, ſhall ſubſcribe, either upon his own life or upon the life of ſome other perſon, the ſum of One Hundred Pounds towards raiſing the Capital Stock or Fund of the ſaid Society.

That

That it ſhall, and may be, be lawful for any perſon upon any one life to make two ſubſcriptions, and to ſubſcribe upon ſuch life the ſum of Two hundred pounds, but not more. Two ſubſcriptions may be on one life.

That every perſon ſubſcribing in any of the forms aforeſaid, ſhall at the time when their ſubſcription is made, by themſelves or by their ſufficient attorney lawfully authorized, ſubſcribe, ſeal and execute this preſent ſettlement, and conform and ſubmit to, obſerve and keep, the conſtitutions rules and regulations herein contained. Subſcribers execuing this deed

That the perſons ſo ſubſcribing and executing as is aforeſaid ſhall be Members of the ſaid Society, and ſhall conſtitute and compoſe the ſame. to be Members of the Society.

That every perſon entering into and becoming a Member of the ſaid Society, ſhall at the time of his entrance into the ſaid Society receive a proper memorial or certificate, under the hands of the Truſtees of the ſaid Society for the time being, or under the hands of the major part of them, teſtifying that he or ſhe hath entered into and become a Member of the ſaid Society. and to receive a memorial there of.

That the ſaid Society ſhall be divided into Six Claſſes according to the ages of the perſons on whoſe lives the ſubſcription is made. Diviſion of the Society into Claſſes.

That the Firſt of the ſaid Claſſes ſhall conſiſt of thoſe Members of the ſaid Society whoſe ſubſcrip- The firſt Claſs.

tions ſhall be made upon lives under the age of Ten years.

The ſecond Claſs.

That the Second of the ſaid Claſſes ſhall conſiſt of thoſe Members of the ſaid Society whoſe ſubſcriptions ſhall be made upon lives between the ages of Ten years and Twenty years.

The third Claſs.

That the third of the ſaid Claſſes ſhall conſiſt of thoſe Members of the ſaid Society whoſe ſubſcriptions ſhall be made upon lives between the ages of Twenty years and Thirty years.

The fourth Claſs.

That the Fourth of the ſaid Claſſes ſhall conſiſt of thoſe Members of the ſaid Society whoſe ſubſcriptions ſhall be made upon lives between the ages of Thirty years and Forty years.

The fifth Claſs.

That the Fifth of the ſaid Claſſes ſhall conſiſt of thoſe Members of the ſaid Society whoſe ſubſcriptions ſhall be made upon lives between the ages of Forty years and Fifty years.

The ſixth Claſs.

That the Sixth of the ſaid Claſſes ſhall conſiſt of thoſe Members of the ſaid Society whoſe ſubſcriptions ſhall be made upon lives between the age of Fifty years and the extremity of human life.

Subdiviſion of the Claſſes into Centuries.

That every of the ſaid Claſſes ſhall be ſub-divided into Centuries, which ſaid Centuries ſhall be diſtinguiſhed by different numbers.

That

That the number of ſubſcriptions which ſhall conſtitute every of the ſaid Centuries ſhall be neither more nor leſs than One Hundred.

Truſtees of the Society; how to be choſen.

AND the more effectually to anſwer the purpoſes of theſe preſents, and the intent of the ſaid Society hereby eſtabliſhed, there ſhall be, during the continuance of the ſaid Society, to be from time to time elected and choſen in manner hereinafter mentioned, Four perſons who ſhall be and act as Truſtees for the ſaid Society.

Power to them to reſign.

That it ſhall and may from time to time be lawful for any of the ſaid Truſtees, by writing under his hand, to reſign ſuch truſt to the remaining Truſtees of the ſaid Society, in caſe he ſhall be ſo minded.

Choice of new Truſtees.

That when and as often as any one or more of the ſaid Truſtees ſhall by death, reſignation, or otherwiſe, be removed from the ſaid truſt, the remaining Truſtees ſhall propoſe, and nominate to a General Meeting of the ſaid Society, three Perſons for every Truſtee ſo dying, reſigning, or being removed, of which Three the ſaid General Meeting ſhall elect and chooſe One to be and execute the office of a Truſtee of the ſaid Society, in the room and place of any Truſtee ſo deceaſed, reſigning, or removed; and as often as a new Truſtee or new Truſtees ſhall be choſen, the former remaining Truſtees ſhall aſſign all their eſtate and intereſt to ſuch new Truſtee or Truſtees ſo choſen,

jointly with them the ſaid former Truſtees, at the proper coſt of the ſaid Society; **and** all ſuch perſons as ſhall be choſen Truſtees in manner aforeſaid ſhall, previouſly to their acting in ſuch truſts, give and execute ſuch covenants and declarations of truſt for the diſcharge thereof, as ſhall be good, valid, and effectual in the law for that purpoſe.

The Capital Stock to be veſted in their names

That the Capital Stock or Fund of the ſaid Society be inveſted in Government-ſecurity, in the *Three per cent. conſolidated annuities of the Bank of England*, or in ſome other Government-ſecurity; and that all ſecurities purchaſed by or to the uſe of the ſaid Society be purchaſed in the names of the ſaid Truſtees, or in the names of three of them at the leaſt.

The dividends thereon, how to be applied.

That the half yearly dividends ariſing from the Capital Stock or Fund of the ſaid Society, ſo inveſted as is aforeſaid, be conſtantly from time to time divided amongſt, and paid to, the Survivors of the reſpective Claſſes of the ſaid Society, their executors, adminiſtrators, or aſſigns, as the ſame ſhall become due, ſhare and ſhare alike; **but** in ſuch manner as that the dividends ariſing from ſo much ſtock as ſhall be purchaſed with the remainder of 10,000 *l.* after there ſhall have been deducted from thence the proportional part of ſuch Claſs towards the expences of eſtabliſhing the ſaid Society in manner herein after mentioned, be equally divided amongſt the Survivors of every of the Centuries

turies of the ſaid Claſſes, their executors, adminiſtrators, or aſſigns, according to the number of the ſeveral ſubſcriptions which ſhall have been made by thoſe Members of the Society under whom they claim.

That ſuch diviſion be made within the ſpace of fourteen days after payment by the Government of the dividends ariſing on thoſe ſecurities in which the Capital Stock or Fund of the ſaid Society ſhall be inveſted.

That every Member of the ſaid Society, in caſe of the death of the perſon on whoſe life the ſubſcription of ſuch Member was made, and the executors, adminiſtrators, or aſſigns of any Member of the ſaid Society, in caſe of the death of the Member himſelf ſubſcribing upon his own life, be entitled to the half years dividend which ſhall accrue next after ſuch death. Half a year's dividend to be paid at a death.

And for the greater eaſe and convenience of the Truſtees of the ſaid Society, and as much as may be to prevent unneceſſary trouble in their ſaid office, the whole of the dividends ariſing from the Capital Stock or Fund of the ſaid Society ſhall be by them from time to time paid over to the Secretary of the ſaid Society, to be by him divided amongſt the Survivors of the ſeveral Claſſes, their executors, adminiſtrators, or aſſigns, in manner above-mentioned. Dividends on the Stock to be paid to the Secretary, who is to divide the ſame.

That

Truſtees to be indemnified,

That all Truſtees, for the time being, of the ſaid Society, ſhall be indemnified and ſaved harmleſs by the ſaid Society from and againſt all charges, damages, and expences, which they ſhall or may be put unto, or ſuſtain, by reaſon or means of acting in the ſaid truſt, or by reaſon or means of the due execution thereof: And that none of them ſhall be chargeable for any the acts or defaults of each other, but for their own acts and defaults only.

Auditors of the Society

And after the ſeveral Claſſes of the ſaid Society ſhall be complete and filled, there ſhall be, during the continuance of the ſaid Society, or until ſuch time as the number of Survivors in any Claſs of the ſaid Society ſhall be reduced to Five (at which time ſuch Claſs ſhall be extinct) Twelve perſons, to be from time to time elected and choſen out of the Members of the ſaid Society (Two out of every Claſs of the ſaid Society) by a majority of the votes of the Members of the ſaid Society, who ſhall be and be called Auditors of the accounts of the ſaid Society.

But until the whole number of the Claſſes of the ſaid Society ſhall be complete and filled, no more Auditors ſhall be choſen than Two from every Claſs of the ſaid Society which ſhall be complete and full.

And when it ſhall happen that the number of Survivors in any Claſs of the ſaid Society ſhall be reduced to Five (in which caſe ſuch Claſs ſhall be extinct) no more Auditors ſhall be choſen than Two from every of the Claſſes which ſhall then remain. how to be choſen.

And the ſaid Auditors ſhall twice in every year, during the continuance of the ſaid Society, to wit, in the month of *January*, and in the month of *July*, in every year, or at ſuch other times as ſhall be directed by a Majority of the Subſcribers of any Claſs of the ſaid Society, at a meeting of the ſaid Claſs, examine into the ſtate of the ſaid Society and the accounts thereof; and ſhall report the ſame to the General Meeting of the Members of the ſaid Society. and in what number.

And in order to make ſome compenſation to the Auditors of the ſaid Society, for the trouble and pains which they muſt neceſſarily take in their examination of the ſtate and accounts of the ſaid Society, there ſhall at each of the ſaid Meetings of the ſaid Auditors be paid to every of the ſaid Auditors who ſhall be perſonally preſent at the ſaid Meetings, and ſhall audit the ſaid accounts, and ſhall report the ſame to the General Meeting of the ſaid Society, the ſum of Ten Shillings. Their office and recompence.

That the firſt of the ſaid Meetings of the ſaid Auditors ſhall be holden in the month of *July*, now next enſuing the date of theſe preſents. Their firſt Meeting.

AND

The Secretary,

AND there ſhall be, during the continuance of the ſaid Society, to be from time to time choſen in a General Meeting of the ſaid Society, out of the Members of the ſaid Society, One other perſon who ſhall be called the Secretary of the ſaid Society.

nd his office.

And the ſaid Secretary, or perſon who ſhall execute the office of Secretary of the ſaid Society, ſhall write and keep all ſuch books as the future occaſions of the ſaid Society ſhall require. and ſhall half-yearly, to wit, between the 24th day of *June* and the 1ſt day of *July*, and between the 25th day of *December* and the 1ſt day of *January* in every year, and at all other times when he ſhall be thereto required by the Truſtees of the ſaid Societys prepare a due and proper ſtate of the accounts of the ſaid Society for the inſpection of the Auditors of the ſaid Society: and ſhall obſerve and perform the directions of the ſaid Auditors, and of the General Meetings of the Members of the ſaid Society.

The firſt ruſtees.

That *Roger Staples*, *Joſeph Creſwicke*, *John Woodhouſe*, *Hananel Mendes Da Coſta*, —of the City of *London*, Eſquires, ſhall be the firſt and preſent Truſtees of the ſaid Society, and ſhall continue in the ſaid office for and during the term of their natural lives, or until they or any of them ſhall reſign, or neglect to act in the ſaid truſt.

And

That *John Blake*, of the pariſh of *St. Clement Danes*, in the county of *Midale*, gent. and *Daniel Mildred*, of the city of *London*, merchant, ſhall be the firſt and preſent Auditors of the accounts of the ſaid Society, and ſhall continue in the ſaid office for and during the term of their natural lives, or until they or any of them ſhall reſign, or neglect to act in the ſame. The firſt Auditors.

That *Jacob Syprut* of *Bury-ſtreet* in the pariſh of *St- Mary at Axe* in the city of *London*, gent. the projector and former of the ſaid Society, ſhall be the firſt and preſent Secretary of the ſaid Society, and ſhall continue in the ſaid office for and during the term of his natural life; he continuing faithful to the ſaid Society, and not being guilty of any miſconduct in the ſaid office: the judges and determiners of which ſhall be the majority of a General Meeting of the Members of the ſaid Society, eſpecially ſummoned and aſſembled for that purpoſe. The firſt Secretary.

And the ſaid *Jacob Syprut*, for and in the name of his ſaid office of Secretary, ſhall receive of and from the ſaid Society a yearly ſalary of TWENTY POUNDS for every Century of every Claſs of the ſaid Society (being full) payable half-yearly out of the dividends which ſhall be from time to time received from the Capital Stock or Fund of the ſaid Society. his ſalary.

And the ſaid *Jacob Syprut*, over and above the ſaid ſalary of TWENTY POUNDS for every Century

of

of every Claſs of the ſaid Society, ſhall be reimburſed and paid all coſts, charges and expences, by him ſuſtained in eſtabliſhing the ſaid Society: the ſame to be paid by the ſeveral Claſſes of the ſaid Society in ſuch proportion as ſhall be thought meet and requiſite by the majority of the Truſtees of the ſaid Society.

And we do conſent and agree, that the ſaid *Jacob Syprut* ſhall and may half-yearly, to wit, at the times when the dividends ariſing from the Capital Stock or Fund of the ſaid Society ſhall be paid over to him by the Truſtees of the ſaid Society, detain and keep in his hands ſo much thereof as ſhall be ſufficient to diſcharge his ſaid ſalary.

Security to be given by him.

And the ſaid *Jacob Syprut*, and every ſucceeding Secretary of the ſaid Society ſhall give good and ſufficient ſecurity to the Truſtees of the ſaid Society, in a ſum not leſs than 200 *l.* for every Century of every Claſs of the ſaid Society, for duly dividing amongſt the Survivors of the ſeveral Claſſes of the ſaid Society, their executors, adminiſtrators or aſſigns, the remainder of the dividends ariſing from the Capital Stock or Fund of the ſaid Society, which ſhall be paid over to him or them by the Truſtees of the ſaid Society in manner beforementioned.

Meetings.

That a Meeting of any Century of any Claſs of the ſaid Society, may be called at the requeſt of any Five Members of that Century.

That

That a Meeting of any Claſs of the ſaid Society, may be called at the requeſt of any Five Members of that Claſs, ſuch requeſts being reſpectively ſignified to the Secretary of the ſaid Society.

That a General Meeting of the whole Society may be called, at the requeſt of Twenty-five Members of the Society (ſuch requeſt to be ſignified as is aforeſaid) or by the direction of any Five of the Auditors of the ſaid Society; which General Meeting ſhall not conſiſt of leſs than Thirty-one Members of the ſaid Society.

That the ſaid General Meeting ſhall from time to time elect and chooſe Truſtees and Officers of the ſaid Society; and ſhall have power to make rules and orders for the good order of the ſaid Society; and the ſame at their pleaſure to annul and alter, and to hear the complaints of any Claſs of the ſaid Society, or of any Century of any Claſs of the ſaid Society, and to take ſuch order therein as to the majority of the Members of the ſaid Society aſſembled in ſuch General Meeting, ſhall ſeem meet and requiſite; but no ſuch rules or orders ſhall be binding, until the ſame ſhall have received the approbation of the next General Meeting of the ſaid Society.

and the bu ſineſs to b done there;

That all elections of Truſtees or Officers of the ſaid Society, and all matters or things to be tranſacted or done in the ſaid General Meetings of the ſaid Society, ſhall be made done and determined by a majority of the votes of thoſe Members of the ſaid Society who ſhall be preſent at ſuch Meetings.

Election how to b made.

That

Casting vote

That no One Member of the ſaid Society ſhall in any matter or thing have or give any more than one vote, except that in caſe upon any queſtion put in any of the ſaid Meetings of the ſaid Society, there ſhall be an equal number of voices or votes on or for each ſide of the queſtion: and then the perſon who ſhall have been then and there choſen to preſide at ſuch Meeting ſhall have the caſting voice or vote.

Claimants o produce ertificates.

That all Claimants upon the ſaid Society, who ſhall not appear to the Secretary of the ſaid Society in their own proper perſons, ſhall at the time of making their claims, produce authentic certificates either from the miniſter and church-wardens of the pariſh in which the perſon on whoſe life the ſubſcription was made ſhall dwell, or from any Two of the Truſtees of the ſaid Society, or from any Two Members of the ſaid Society (being of the ſame Claſs with ſuch Claimants) that the perſon on whoſe life the ſubſcription was made was living at the time when their reſpective claims accrued: which ſaid Certificates ſhall be filed and carefully preſerved by the Secretary of the ſaid Society for the inſpection of the Members of the ſaid Society.

Non-claims

That if any Claimant upon the ſaid Society, or any perſon appearing to have a claim upon the ſaid Society, ſhall neglect to make his claim for the ſpace of Eighteen calendar months after ſuch claim ſhall have accrued, ſuch claim ſhall be void; and the ſum claimed ſhall go in augmentation of the half-

yearly

yearly dividend which ſhall then next enſue: but if ſuch Claimant ſhall afterwards appear he ſhall be entitled to all ſubſequent dividends in the ſame manner as if no ſuch default had been made. how to be diſpoſed.

That when the number of Claimants in any one Century of any Claſs of the ſaid Society ſhall be by deaths, or by non-claims for the ſpace of Eighteen calendar Months, reduced to Five (whereof publick notice ſhall be twelve times given in the *London-Gazette*, to wit, once in every month for the ſpace of twelve calendar Months after any Century ſhall be ſo reduced) that part of the Capital Stock or Fund of the ſaid Society, which ſhall belong to ſuch Century ſo reduced, ſhall be divided amongſt, and paid unto, the ſaid Five Claimants, the executors, adminiſtrators or aſſigns, in equal proportions, ſhare and ſhare alike. Final dividends to Centuries reduced to Five.

Provided always, and it is the true intent and meaning of theſe preſents, and of the parties hereunto ſubſcribing, that the number of Claimants in any Century of any Claſs of the ſaid Society ſhall then be ſaid to be reduced to Five, when no more than Five Claims can be made upon the ſaid Society by virtue of Five Subſcriptions in ſuch Century; whether the ſaid ſubſcriptions ſhall have been made on Five diſtinct and ſeparate lives, or whether any two of them ſhall have been made upon one life, according to the liberty herein before declared and given; and if it ſhall at any time happen that the when ſaid to be reduced to Five.

the number of Claimants in any Century of any Claſs of the ſaid Society ſhall be reduced to Three, every of them having made Two ſubſcriptions, or being otherwiſe entitled to Two claims upon one life, that part of the Capital Stock or Fund of the ſaid Society which ſhall belong to ſuch Century ſo reduced, ſhall be divided amongſt, and paid unto the ſaid Three Claimants, their executors, adminiſtrators or aſſigns, in equal proportions, ſhare and ſhare alike.

Provided alſo, that when the number of Claimants in any one Century of any Claſs of the ſaid Society ſhall in manner before mentioned be reduced to Ten, and public notice thereof ſhall have been ſo given as is aforeſaid, that part of the Capital Stock or Fund of the ſaid Society which ſhall belong to ſuch Century may be divided amongſt and paid unto the ſaid Ten Claimants, their executors, adminiſtrators or aſſigns, in equal proportions, ſhare and ſhare alike (ſhould every of the ſaid Ten Claimants be ſo minded and unanimouſly deſirous thereof) any thing herein contained to the contrary notwithſtanding.

Diſputes how to be decided.

And if any queſtions diſputes or differences ſhall at any time or times hereafter ariſe or happen between the parties executing this preſent deed or inſtrument, or any perſon or perſons claiming or to claim from, by or under them or any of them, touching or concerning any matter or thing in this deed

or

or inſtrument contained, or any matter or thing relating thereto, or to the management or concerns of the ſaid Society hereby intended to be eſtabliſhed; that then and in ſuch caſe the ſaid parties or perſons ſhall and will from time to time leave the matters in diſpute between them to be decided and determined by the opinion of his Majeſty's Attorney-General and Solicitor-General for the time being, and the Senior of the King's Counſel practiſing in his Majeſty's Court of *King's Bench* for the time being, in manner following: that is to ſay, a caſe containing all the facts and matters in controverſy ſhall be fairly ſtated in writing (by the Truſtees of the ſaid Society, or by any One of them, ſuch Truſtee or Truſtees being not concerned or intereſted in ſuch queſtions, diſputes or differences; but if all the Truſtees ſhall be intereſted in ſuch queſtions, diſputes or differences, then by the Auditors of the ſaid Society or by the major part of them) and ſhall be laid before every of them the ſaid Attorney and Solicitor General for the time being, and the Senior of the King's Counſel practiſing in the Court of *King's Bench:* and the opinion of the major part of them in writing ſhall be final and concluſive; and the contending parties ſhall reſpectively ſubmit to the ſaid opinion; and the Claſs, Century, perſon or perſons againſt whom the ſaid deciſion or determination ſhall be made or given, ſhall pay diſcharge and ſatisfy all fees, coſts, charges, damages and expences which ſhall have been occaſioned by ſuch diſputes or differences,

ces, and by the means of deciding and determining the ſame in manner before mentioned: the ſaid fees, coſts, charges, damages and expences to be deducted out of ſuch dividends as ſhall firſt accrue to ſuch Claſs, Century, perſon or perſons, againſt whom ſuch determination ſhall be made.

onclusion. **That** theſe preſents, and every thing herein contained, whether the ſame be mentioned by way of covenant, agreement, or undertaking; or by way of future laws, rules, or orders, of and for the regulation of the ſaid Society, ſhall be binding and obligatory in every reſpect, to all intents and purpoſes, to all and every perſon and perſons hereunto ſubſcribing, and to all perſons claiming or to claim from, by, or under them, or any of them; **and** we who have executed theſe preſents do every of us for ourſelves covenant, promiſe, and agree to and with the others of us, and to and with every of them, their and every of their executors, adminiſtrators, and aſſigns, that we are and will be, firmly held and bounden by theſe preſents, and by every thing herein contained, in manner above-mentioned. In witneſs whereof, we have hereunto ſet our hands and ſeals the *twenty-ſecond* day of *May*, in the year of our Lord, *One thouſand ſeven hundred and ſixty nine.*

THE

THE DECLARATION OF TRUST.

THIS indenture made the day of in the eighth year of the reign of our ſovereign lord *George* the third, by the grace of God of *Great-Britain France* and *Ireland*, king, defender of the faith, &c. and in the year of our Lord God *One thouſand ſeven hundred and ſixty-eight*, between

of the one part and

of the other part witneſſeth, that Whereas a Society hath been formed and eſtabliſhed by the name

or title of the *Society for Annuities encreaſing to the Survivors*, upon under and according to the ſeveral articles clauſes proviſoes conditions and agreements contained in a certain inſtrument or deed-poll called the Deed of Settlement of the ſaid Society bearing date the day of now laſt paſt, and entered into by the ſeveral perſons thereunto conſenting and ſubſcribing, as in and by the ſaid Deed of Settlement (relation being thereunto had) more fully and at large appeareth **and whereas** the ſaid *Roger Staples*, *Joſeph Creſwicke*, *John Woodhouſe*, *Hananel Mendes Da Coſta* and are the preſent Truſtees of and for the ſaid Society **and** as well the preſent eſtate ſtock or fund of the ſaid Society, as all ſuch future eſtate ſtock or fund as during the continuance of the ſaid truſt ſhall hereafter accrue unto the ſaid Society, are and will be legally veſted in the ſaid *Roger Staples*, *Joſeph Creſwicke*, *John Woodhouſe*, *Hananel Mendes Da Coſta* and upon this eſpecial truſt and confidence, and to theſe and no other intents ends or purpoſes, *to wit*, **that** the ſame ſhall be by the ſaid *Roger Staples*, *Joſeph Creſwicke*, *John Woodhouſe*, *Hananel Mendes Da Coſta* and from time to time during the continuance of the ſaid truſt, paid applied and employed to the ſole uſe and behoof of the ſaid Society, and to the payment and ſatisfaction of ſuch claims as during the continuance of the ſaid truſt ſhall or may be claimed and ſhall be due by virtue of the ſaid deed: **and** that the ſame and all manner of dividends pro-

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fits produce benefit and advantage reſulting therefrom or from any part thereof, ſhall and may from time to time and at all times hereafter during the continuance of the ſaid truſt be had taken received held and enjoyed by the ſaid Society, according to the proviſions and limitations in the ſaid deed expreſſed and contained, to and for their own uſe for ever without the lett ſuit denial or interruption of them the ſaid Truſtees, or of any of them, their or any of their executors or adminiſtrators, or of any other perſon or perſons lawfully claiming or to claim from by or under them or any of them: **now** the ſaid *Roger Staples*, *Joſeph Creſwicke* *John Woodhouſe*, *Hananel Mendes Da Coſta* and minding the diſcharge and performance of the truſt in them repoſed and being willing and deſirous to accompliſh and fulfil the the ſame **do** every of them for themſelves ſeverally and not jointly, nor the one of them for the others of them, nor for the acts of the others of them, but every of them apart for himſelf and for his own acts only, covenant promiſe and agree to and with the ſaid

and to and with every of them, their and every of their executors and adminiſtrators, firmly by theſe preſents **That** they and every of them the ſaid Truſtees ſhall and will from time to time and at all times hereafter, during the continuance of the ſaid truſt, when and ſo often as they ſhall be thereto

thereto required by any Two or more of the Auditors of the accounts of the ſaid Society, make render and deliver to and before ſuch Auditors of the ſaid Society a juſt true and perfect account of all and every ſum or ſums of money which ſhall have come to the hands or poſſeſſion of them the ſaid Truſtees or of any of them or which they or any of them, ought rightly to be charged withall for or by means of or in reſpect of the ſaid truſt. And alſo that they and every of them the ſaid Truſtees ſhall and will from time to time and at all times hereafter, during the continuance of the ſaid truſt, pay apply and diſpoſe of all and every ſuch ſum or ſums of money for the uſe behoof and benefit of the ſaid Society, and the diſcharge and ſatisfaction of ſuch claims as ſhall be lawfully made upon, and ſhall be due from the ſaid Society, according to the proviſions and limitations in the ſaid deed expreſſed and contained. and that neither they nor any of them ſhall or will at any time employ or convert the ſame or any part thereof to any other uſe intent or purpoſe, or any otherwiſe apply the ſame or any part thereof, than to the uſes intents and purpoſes in theſe preſents mentioned expreſſed and declared. and alſo that they and every of them the ſaid Truſtees ſhall and will from time to time and at all times hereafter, during the continuance of the ſaid truſt, at the requeſt of the General Meeting of the ſaid Society, and at the proper coſts and charges of the ſaid Society, make do and execute, or cauſe to be made done and executed, all and every ſuch lawful powers authorities

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acts deeds and things for the more full and ample enjoyment of the premiſſes by the ſaid Society, and for the receipt of the dividends profit produce and increaſe thereof and of every part thereof by the officers or agents of the ſaid Society, as the Counſel of the ſaid Society learned in the law ſhall adviſe, or the General Meeting of the ſaid Society ſhall direct or require. **and further** that they or ſome of them the ſaid Truſtees, to the number of Three at the leaſt, ſhall and will from time to time and at all times hereafter, during the continuance of the ſaid truſt, in their or ſome of their names accept and take all ſuch ſecurities as ſhall be given to the ſaid Society or to the uſe and behoof thereof. **and** that during the continuance of the ſaid truſt neither they nor any of them ſhall or will do or commit, or wittingly or willingly ſuffer to be done or committed, any act or acts thing or things directly or indirectly to the hindrance prejudice or diſadvantage of the ſaid Society. **And** the true intent and meaning of theſe preſents and of the parties hereunto is, and it is hereby declared, that it ſhall and may be lawful to and for the ſaid *Roger Staples*, *Joſeph Creſwicke*, *John Woodhouſe*, *Hananel Mendes Da Coſta* and and for every of them (if not otherwiſe ſatisfied and reimburſed by the ſaid Society) from time to time to ſatisfy and reimburſe themſelves, out of ſuch ſums of money as ſhall come to their reſpective hands or poſſeſſion, all coſts charges expences and damages which they or any of them ſhall neceſſarily or reaſonably expend ſuſtain or be put unto reſpectively for

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or concerning the ſaid truſt. and that neither they nor any of them the ſaid Truſtees ſhall be charged with or be anſwerable for any ſum or ſums of money ſave and except what ſhall actually come into their own reſpective hands or poſſeſſion, or be actually received by or in purſuance of their reſpective powers authorities orders or receipts under their reſpective hands and ſeals, or under their reſpective hands only, and not given ſigned or ſealed by the order direction or appointment of the General Meeting of the ſaid Society; and ſave and except what ſhall miſcarry or be loſt by their own neglect or default. and that neither they nor any of them the ſaid Truſtees ſhall be reſponſible for the neglects defaults or miſdoings of the others of them, but every of them for their own neglects defaults or miſdoings only. And it is intended meant concluded and agreed by and between the ſaid parties to theſe preſents, and the ſaid *Roger Staples*, *Joſeph Creſwicke*, *John Woodhouſe*, *Hananel Mendes Da Coſta* and
do every of them for themſelves ſeverally and not jointly, nor the one of them for the others of them, covenant promiſe and agree to and with the ſaid

and to and with every of them, their and every of their executors and adminiſtrators, that if they the ſaid *Roger Staples*, *Joſeph Creſwicke*, *John Woodhouſe*, *Hananel Mendes Da Coſta* and
or any of them ſhall at any time hereafter during the

the continuance of the ſaid truſt, neglect or refuſe to act in the ſaid truſt or in thedue execution thereof, or ſhall deſire to be diſcharged therefrom then and in either of the ſaid caſes ſuch and ſo many of them the ſaid Truſtees as ſhall neglect or refuſe to act in the ſaid truſt or in the due execution thereof, or ſhall deſire to be diſcharged therefrom, ſhall at the requeſt of the General Meeting of the ſaid Society (ſuch requeſt being notified to them in writing ſigned by the ſecretary of the ſaid Society) and at the proper coſts and charges of the ſaid Society, grant convey aſſign transfer and ſet over by good and ſufficient deeds, or other conveyances and aſſurances, either to the reſidue of them the ſaid Truſtees or to ſuch other perſon or perſons as by the General Meeting of the ſaid Society ſhall be nominated and choſen Truſtees of the ſaid Society to be ſubſtituted and put in the place and room of thoſe of the ſaid Truſtees who by either of the means aforementioned ſhall ceaſe to be or act as Truſtees for the ſaid Society, all ſuch ſum or ſums of money as by reaſon or means of the ſaid truſt ſhall then be in their hands and poſſeſſion, free and clear, and freely clearly and abſolutely acquitted exonerated diſcharged and kept harmleſs, of and from all bargains eſtates titles charges troubles and incumbrances whatſoever then had or made, or to be had or made by him them or any of them, other than ſuch as ſhall have been had or made by them with the conſent and approbation and by the direction of the General Meeting of the ſaid Society. **And laſtly** it is intended meant con-

cluded and agreed by and between the ſaid parties to theſe preſents, and the ſaid *Roger Staples*, *Joſeph Creſwicke*, *John Woodhouſe*, *Hananel Mendes Da Coſta* and DO every of them for themſelves ſeverally and not jointly, nor the one of them for the others of them, covenant promiſe and agree to and with the ſaid

and to and with every of them, their and every of their executors and adminiſtrators, that at what time ſoever the number of them the ſaid Truſtees ſhall be by death reduced to Four, the Four ſurvivors of them the ſaid truſtees ſhall and will at the proper coſts and charges of the ſaid Society in ſuch manner and by ſuch ſufficient deeds conveyances or aſſurances as the General Meeting of the ſaid Society or the Counſel of the ſaid Society learned in the law ſhall deviſe adviſe or require, grant convey aſſign transfer and ſet over unto ſuch new Truſtees as ſhall be then choſen by the ſaid Society to the uſes and intents aforeſaid, all the eſtate right title and intereſt of them the ſaid ſurvivors in or to the ſtock or fund of the ſaid Society or in or to any ſum or ſums of money, which by force and virtue of the ſaid truſt ſhall be veſted in them the ſaid ſurvivors or in any of them, freely clearly and abſolutely acquitted exonerated diſcharged and kept harmleſs of and from all bargains eſtates titles charges troubles and and incumbrances whatſoever then had or made, or

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to be had or made by them or any of them, other than ſuch as ſhall have been had or made by them or any of them with the like conſent and approbation and by the like direction of the General Meeting of the ſaid Society. **in witneſs** whereof the ſaid parties have to theſe preſents interchangeably ſet their ſeals the day and year firſt above written.

F I N I S

to be had or made by them or any of them, other than such as shall have been had or made by them or any of them with the like consent and approbation and by the like direction of the General Meeting of the said Society. In witness whereof the said parties have to these presents interchangeably set their seals the day and year first above written.

FINIS